



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

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PATENT

Serial No.: Not yet assigned)
Filed: November 13, 2001)
For: HYDRAULIC PUNCH DRIVER)
Applicant: William F. Nordlin et al.)
Examiner: To be assigned)
Art Unit: To be assigned)
Based Upon)
U.S. Provisional Application Serial No. 60/259,947)
Filed January 5, 2001)
Attorney Docket No.: 913/38954/283)

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on February 19, 2002
(Date of Deposit)

James A. O'Malley, 45,952
Name of applicant, assignee or Registered Rep.
James A. O'Malley 2/19/02
Signature Date

Assistant Commissioner for Patents
Washington, D.D. 20231
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PETITION FOR RETROACTIVE LICENSE (37 CFR §5.25)

1. **Petition**

It is respectfully requested that this petition for license for foreign filing be granted retroactively under the provisions of 37 CFR §5.25 to December 27, 2001. A copy of the subject matter for which this petition is requested is attached hereto as Exhibit A.

2. **United States Application**

The formal United States patent application was filed on November 13, 2001 and has not yet been assigned a Serial No. This application is based upon United States Provisional application Serial No. 60/259,947 which was filed on January 5, 2001.

3. **Previous License**

Attached hereto as Exhibit B is a copy of a foreign filing license which was granted on January 3, 2002 in connection with a Petition For Expedited Foreign Filing License based on the United States application filed on November 13, 2001.

4. **Filed Foreign Application**

An unlicensed patent application was filed in Germany on December 28, 2001.

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OFFICE OF PETITIONS

5. **Inventors**

Inventors: William F. NORDLIN and Thomas Gene BOESE
Title of Invention: HYDRAULIC PUNCH DRIVER
Based Upon United States Application No: 60/259,947 filed on January 5, 2001

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6. **Declaration**

Attached as Exhibit C is the Declaration of James A. O'Malley which confirms that, in accordance with 37 CFR § 5.25(a)(3)(i)-(iii),

- (a) The subject matter in question was not under a secrecy order at the time it was filed abroad, and that it is not currently under a secrecy order;
- (b) The license is being diligently sought after discovery of the proscribed foreign filing; and
- (c) An explanation of why the material was filed abroad through error and without deceptive intent without the required license under §5.11 first having been obtained.

7. **Fee**

The fee for this petition for retroactive license is paid by the attached check for \$130.00.

A duplicate of this petition is enclosed herewith.

Respectfully submitted,

Dated: 2/18/02

By: James A. O'Malley
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